

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

Oneida Consumer, LLC, *et al.*,

Plaintiffs,

v.

Elyse Fox,

Defendant.

Case No: 2:20-cv-2043

Judge Graham

Order

This case came before the Court for a telephone conference on July 15, 2020. The July 15 conference was a continuation of a conference held on July 8, 2020, in which the Court and parties discussed conducting limited discovery to assist in reaching an expeditious resolution of this dispute. Following the July 8 conference, defendant produced all invoices in her possession to show the source of the flatware she has sold and offered for sale.

During the July 15 conference, the Court asked plaintiff's counsel to identify what additional discovery it needed to conduct in light of the evidentiary materials submitted by defendant in opposition to plaintiff's motion for a preliminary injunction. Plaintiff represented that the only discovery necessary would concern the content and quantity of defendant's current inventory of goods. The parties agreed that discovery would be limited to this one matter – that of defendant's current inventory. Defendant agreed to produce her inventory list by Monday, July 20, 2020, and the inventory list will be produced pursuant to a protective order to be agreed upon by counsel. If counsel encounter any difficulties with respect to a protective order, they shall contact the Court immediately for assistance in resolving the matter.

The Court will conduct another telephone conference on July 24, 2020 at 10:00 a.m. During the July 15 conference, the Court suggested the likelihood that the case could be resolved on cross-motions for summary judgment, with no genuine disputes of material fact remaining. To be clear, the Court is not requiring that the cross-motions be filed prior to July 24. Instead, the Court will use the July 24 conference to set a schedule for the filing of the cross-motions and all further briefing.

IT IS SO ORDERED.

s/ James L. Graham
JAMES L. GRAHAM
United States District Judge

DATE: July 15, 2020